



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM McDONNELL, SHERIFF

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

33 March 1, 2016

LORI GLASGOW
EXECUTIVE OFFICER

March 01, 2016

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

**ACCEPT GRANT AWARD FROM CALIFORNIA GOVERNOR'S
OFFICE OF EMERGENCY SERVICES FOR 2015 CALIFORNIA
COVERDELL PROGRAM FOR FISCAL YEAR 2015-16
(ALL DISTRICTS) (3 VOTES)**

SUBJECT

Request the Board to execute the attached Certification of Assurance of Compliance, and authorize the Sheriff of Los Angeles County (County) to accept and execute a grant award from the California Governor's Office of Emergency Services (Cal OES) for the 2015 California Coverdell Program (Program) in the amount of \$117,978. The Program is funded with the Department of Justice, Office of Justice Programs, and National Institute of Justice Federal funds.

IT IS RECOMMENDED THAT THE BOARD:

1. Request the Chair of the Board of Supervisors to sign and affix a wet signature to the attached Certification of Assurance of Compliance form required by Cal OES as part of the grant application process.
2. Delegate authority to the Sheriff, as an agent for the County, to sign and accept the grant award, subsequent to execution by Cal OES for the Program in the amount of \$117,978 for the grant period from October 1, 2015, through August 31, 2016. There is no match requirement for the Program.
3. Delegate authority to the Sheriff, or his designee, to execute and submit all required grant application documents, including but not limited to, agreements, memoranda of understanding, amendments, modifications, augmentations, extensions, and payment requests that may be necessary for the completion of the Program.

4. Delegate authority to the Sheriff, as an agent for the County, to apply for and submit a grant application to Cal OES for the Program in future fiscal years, and to execute all required grant application documents, including assurances and certifications, when and if such future funding becomes available.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Los Angeles County Sheriff's Department's (Department) laboratories within the Scientific Services Bureau (SSB) have been identified to receive funding under the Program. The funding shall be utilized to secure continued education and training programs for the Department's full-time forensic technical staff.

In complying with the objective of this funding opportunity, the allocation will be used to send members of the Department's forensic technical staff to educational and training seminars designed to improve the quality, timeliness, and credibility of Departmental investigations and evidence examinations. The funding will assist the forensic technical staff in preventing and reducing the backlog of forensic cases and improving the turnaround time for case analysis.

As an accredited laboratory of the American Society of Crime Laboratory Directors/Laboratory Accreditation Board, the Department's SSB strives to maintain compliance with all standards and criteria. The purpose of required training is to improve accuracy, increase productivity, and enable staff to assume greater responsibilities within their respective assignments. In an effort to maintain the standard of continuing education for all forensic technical staff, it is necessary to provide a wide variety of specialized training opportunities.

Implementation of Strategic Plan Goals

The Program is consistent with the County's Strategic Plan, Goal 1, Operational Effectiveness/Fiscal Sustainability, by continuing the highly technical and specialized training of the Department's forensic technical staff; and Goal 3, Integrated Services Delivery, by reducing the number of backlogged cases as analysts and examiners apply new knowledge and skills to improve their accuracy and productivity.

FISCAL IMPACT/FINANCING

The \$117,978 in grant funding will be used to fund Services and Supplies for forensic technical staff to attend training, travel expenses, and office and laboratory supply purchases. This amount will be fully offset by Cal OES funds provided by the Department of Justice, Office of Justice Programs, National Institute of Justice. This funding is included in the Department's Fiscal Year 2015-16 budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This will be the 11th year of funding for the Program. The grant period will commence October 1, 2015, and end on August 31, 2016. This grant award will enable the Department to maintain the continuing education of SSB's forensic technical staff to improve accuracy, increase productivity, and to enable staff to assume greater responsibility within their respective assignments.

Under the requirements of Cal OES, the applicant must complete a Certificate of Assurance of Compliance form signed by the Governing Body that includes details regarding the requirements of

The Honorable Board of Supervisors

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Federal Grant Funds, Equal Employment Opportunity, Drug-Free Workplace Act of 1990, California Environmental Quality Act, Lobbying, Debarment and Suspension, and Proof of Authority from City Council/Governing Board. The applicant is required to submit the necessary assurances before finalization of the grant award agreement.

This Board letter has been reviewed and the attached Certification of Assurance of Compliance has been approved as to form by County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The Program will have a positive impact on the services currently provided by the Department and will give the Department an opportunity to successfully accomplish its mission, goals, and objectives.

CONCLUSION

Upon Board approval, please return two individually certified copies of the adopted Board letter and two signed copies of the Certification of Assurance of Compliance to the Department's Grants Unit.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim McDonnell". The signature is stylized with a large, looping initial "J" and "M".

JIM McDONNELL

Sheriff

JM:ICl:ici

Enclosures

Los Angeles County Chief Executive Office
Grant Management Statement for Grants Exceeding \$100,000

Department: LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD)

Grant Project Title and Description: 2015 California Coverdell Program

The purpose of this program is to improve the quality and timeliness of forensic science services over current operations. The grant funds will be used to maintain continuing education and training of LASD's Scientific Services Bureau's full-time forensic technical staff to improve accuracy, increase productivity, and enable staff to assume greater responsibilities. The training will assist in their effort to prevent and reduce the backlog of forensic cases and improve turnaround time for case analysis.

Funding Agency

California Governor's Office of
Emergency Services (Cal OES)

Program (Fed. Grant # /State Bill or Code #)

Grant Acceptance Deadline

Total Amount of Grant Funding: \$117,978

County Match: None

Grant Period: 11-Months

Begin Date: October 1, 2015

End Date: August 31, 2016

Number of Personnel Hired Under This Grant: 0

Full Time: 0 **Part Time:** 0

Obligations Imposed on the County When the Grant Expires

Will all personnel hired for this program be informed this is a grant-funded program? Yes ___ No X

Will all personnel hired for this program be placed on temporary ("N") items? Yes ___ No X

Is the County obligated to continue this program after the grant expires? Yes ___ No X

If the County is not obligated to continue this program after the grant expires, the Department will:

a). Absorb the program cost without reducing other services Yes ___ No X

b). Identify other revenue sources Yes ___ No X

(Describe) _____

c). Eliminate or reduce, as appropriate, positions/program costs funded by the grant. Yes ___ No X

Impact of additional personnel on existing space: None

Other requirements not mentioned above: None

Department Head Signature _____ **Date** _____

CERTIFICATION OF ASSURANCE OF COMPLIANCE
Paul Coverdell Forensic Sciences Improvement Act (FSIA) Fund

The applicant must complete a Certification of Assurance of Compliance-FSIA (Cal OES 2-104e), which includes details regarding Federal Grant Funds, Equal Employment Opportunity Program, Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, Proof of Authority from City Council/Governing Board, Civil Rights Compliance and the special conditions for Subaward with the above mentioned fund. The applicant is required to submit the necessary assurances and documentation before finalization of the Grant Subaward. In signing the Grant Subaward Face Sheet, the applicant formally notifies Cal OES that the applicant will comply with all pertinent requirements.

Resolutions are no longer required as submission documents. Cal OES has incorporated the resolution into the Certification of Assurance of Compliance, Section VII, entitled, "Proof of Authority from City Council/Governing Board." The Applicant is required to obtain written authorization (original signature) from the City Council/Governing board that the official executing the agreement is, in fact, authorized to do so, and will maintain said written authorization on file and readily available upon demand. This requirement does not apply to state agencies.

CERTIFICATION OF ASSURANCE OF COMPLIANCE
Paul Coverdell Forensic Sciences Improvement Act (FSIA) Fund

I, Jim McDonnell hereby certify that
(official authorized to sign Subaward; same person as Section 14 on Subaward Face Sheet)

SUBRECIPIENT: Los Angeles County

IMPLEMENTING AGENCY: Los Angeles County Sheriff's Department

PROJECT TITLE: 2015 California Coverdell Program

is responsible for reviewing the *Subrecipient Handbook* and adhering to all of the Subaward requirements (state and/or federal) as directed by Cal OES including, but not limited to, the following areas:

I. Federal Grant Funds

Subrecipients expending \$750,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Uniform Guidance 2 CFR Part 200, Subpart F and are allowed to utilize federal grant funds to budget for the audit costs. See Section 8000 of the Subrecipient Handbook for more detail.



The above named Subrecipient receives \$750,000 or more in federal grant funds annually.



The above named Subrecipient does not receive \$750,000 or more in federal grant funds annually.

II. Equal Employment Opportunity – (*Subrecipient Handbook Section 2151*)

It is the public policy of the State of California to promote equal employment opportunity by prohibiting discrimination or harassment in employment because of race, religious creed, color, national origin, ancestry, disability (mental and physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, sex, sexual orientation, denial of family medical care leave, denial of pregnancy disability leave, or age (over 40). **Cal OES-funded projects certify that they will comply with all state and federal requirements regarding equal employment opportunity, nondiscrimination and civil rights.**

Please provide the following information:

Equal Employment Opportunity Officer: David L. Whitham

Title: Lieutenant

Address: 211 West Temple St. Los Angeles, CA 90012

Phone: (213) 229-1603

Email: dlwhitha@lasd.org

III. Drug-Free Workplace Act of 1990 – (*Subrecipient Handbook, Section 2152*)

The State of California requires that every person or organization subawarded a grant or contract shall certify it will provide a drug-free workplace.

IV. California Environmental Quality Act (CEQA) – (*Subrecipient Handbook, Section 2153*)

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.*) requires all Cal OES funded projects to certify compliance with CEQA. Projects receiving funding must coordinate with their city or county planning agency to ensure that the project is compliance with CEQA requirements.

V. Lobbying – (*Subrecipient Handbook Section 2154*)

Cal OES grant funds, grant property, or grant funded positions shall not be used for any lobbying activities, including, but not limited to, being paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.

VI. Debarment and Suspension – (*Subrecipient Handbook Section 2155*)

(This applies to federally funded grants only.)

Cal OES-funded projects must certify that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department of agency.

VII. Proof of Authority from City Council/Governing Board

The above-named organization (Applicant) accepts responsibility for and will comply with the requirement to obtain a signed resolution from the city council/governing board in support of this program. The applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of Cal OES, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Subaward, including civil court actions for damages, shall be the responsibility of the grant Subrecipient and the authorizing agency. The State of California and Cal OES disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from Cal OES shall not be used to supplant expenditures controlled by the city council/governing board.

The applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The applicant is also required to maintain said written authorization on file and readily available upon demand.

VIII. Civil Rights Compliance

The Subrecipient complies will all laws that prohibit excluding, denying or discriminating against any person based on actual or perceived race, color, national origin, disability, religion, age, sex, gender identity, and sexual orientation in both the delivery of services and employment practices and does not use federal financial assistance to engage in explicitly religious activities.

IX. Special Conditions for Grant Subaward with Forensic Science Improvement Act (FSIA) Funds

- Subrecipients must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has (1) Submitted a claim for award funds that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving award funds. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by:
 - Mail: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 950 Pennsylvania Avenue, N.W. Room 4706, Washington, DC 20530;
 - Email: oig.hotline@usdoj.gov;
 - Hotline (contact information in English and Spanish): (800) 869-4499; or
 - Hotline fax: (202) 616-9881.

Additional information is available from the DOJ OIG website at: www.usdoj.gov/oig.

- Restrictions and certifications regarding non-disclosure agreements and related matters.

No subrecipient under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the subrecipient:

- Represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
- Certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the subrecipient does or is authorized to make subawards or contracts under this award, it represents that:

- It has determined that no other entity that the subrecipient's application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
- It has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation;

- it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.
- Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages subrecipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
- Generally Accepted Laboratory Practices: The subrecipient shall ensure that any forensic laboratory, forensic laboratory system, medical examiner's office, or coroner's office that will receive any portion of the award uses generally accepted laboratory practices and procedures as established by accrediting organizations or appropriate certifying bodies.
- External Investigations: The subrecipient shall ensure that requirements associated with 42 U.S.C. section 3797k(4) (which relate to processes in place to conduct independent external investigations into allegations of serious negligence or misconduct by employees or contractors) are satisfied with respect to any forensic laboratory system, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility in the State that will receive a portion of the grant amount.
- Use of Funds – No Research: Funds provided under this award shall be used only for the purposes and types of expenses set forth in the fiscal year 2015 program solicitation. Funds shall not be used for general law enforcement functions or non-forensic investigatory functions, and shall not be used for research or statistical projects or activities. Use of award funds for construction of new facilities is restricted by statute. Any questions concerning this provision should be directed to the NIJ program manager prior to incurring the expense or commencing the activity of question.
- Performance Measures: To ensure compliance with the Government Performance and Results Act (Pub. L. No. 103-62) and the GPRA Modernization Act of 2010 (Pub. L. No. 111-352), program performance under this fiscal year 2015 award is measured by the following: (1) percent reduction in the average number of days from the submission of a sample to a forensic science laboratory to the delivery of test results to a requesting office or agency (calculated by reporting the average number of days to process a sample at the beginning of the grant period versus the average number of days to process a sample at the end of the grant period); (2) percent reduction in the number of backlogged forensic cases (calculated by reporting the number of backlogged forensic cases at the beginning of the grant period versus the number of backlogged forensic cases at the end of the grant period); and (3) the number of forensic science or medical examiner personnel who completed appropriate training or educational opportunities with fiscal year 2015 Coverdell funds, if applicable to the award. Cal OES is required to collect and report data relevant to these measures to NIJ.
- The subrecipient understands and agrees that gross income (revenues) from fees charged for forensic science or medical examiner services constitutes program income (in whole or in part), and that program income must be determined, used, and documented in accordance with the provisions of 2 C.F.R. 200.307, including as applied in the Department of Justice (DOJ) Grants Financial Guide, as it may be revised from time to time. The subrecipient further understands and agrees that both

program income earned during the award period and expenditures of such program income must be reported to Cal OES and are subject to audit.

- The subrecipient understands and agrees that, throughout the award period, it must promptly notify NIJ if it either starts or stops charging fees for forensic science or medical examiner services, or if it revises its method of allocating fees received for such services to program income. Cal OES must then provide notice in writing to the NIJ program manager for the award within ten (10) business days of implementation of the change.
- The subrecipient agrees to comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award.

Environmental Assessment (EA): The subrecipient agrees and understands that funded activities (whether conducted by the subrecipients or contractors) may require the preparation of an EA as defined by the Council on Environmental Quality's Regulations for implementing the Procedural Provisions of the National Environmental Policy Act (NEPA), found at 40 CFR Part 1500. An EA is a concise public document that briefly provides sufficient analysis for determining whether to prepare and environmental impact statement (EIS) or a finding of no significant impact for the proposed activity. If in completing an EA for a proposed activity, potential adverse environmental impacts are identified, the EA will serve as a vehicle for developing either alternative approaches or mitigation measures for avoiding or reducing the identified adverse environmental impacts.

Modifications: Throughout the term of this award, the subrecipient agrees that for any activity that is the subject of a completed EA, it will inform Cal OES of: (1) any change(s) that it is considering making to the previously assessed activity that may be relevant to environmental impact; or (2) any proposed new activities or changed circumstances that may require assessment as to environmental impact, such as new activities that involve the use of chemicals or involve construction or major renovation. The subrecipient will not implement a proposed change or new activity until Cal OES, with the assistance of NIJ, has determined whether the proposed change or activity (or changed circumstances) will require additional review under NEPA. Approval for implementation will not be unreasonably withheld as long as any requested modification(s) is consistent with eligible program purposes and found acceptable under an NIJ-conducted environmental impact review process.

- The subrecipient acknowledges that, as stated in the solicitation for the FY 2015 Paul Coverdell Forensic Science Improvement Grants Program, NIJ assumes that subrecipients of Coverdell funds will make use of the process referenced in their certification as to external investigations, and will refer allegations of serious negligence or misconduct substantially affecting the integrity of forensic results to government entities with an appropriate process in place to conduct independent external investigations, such as the government entity (or entities) identified in the grant application.

The subrecipient shall submit the following information to Cal OES: (1) the number and nature of any allegations of serious negligence or misconduct substantially affecting the integrity of forensic results received during the 12-month period of the award; (2) information on the referral of such allegations (e.g., the government entity or entities to which referred, the date of referral); (3) the outcome of such referrals if known as of the date of the report; and (4) if any such allegations were not referred, the reason(s) for the non-referral. Cal OES is required to collect and report this information on its final report to NIJ.

Should the project period for this award be extended, Cal OES shall submit the above information as to the first twelve months of the award as part of the first semi-annual progress report that comes due after the conclusion of the first twelve months of the project period, and shall submit the required information as to subsequent twelve-month periods every twelve months thereafter (as part of a semi-

annual progress report) until the close of the award period, at which point Cal OES shall submit the required information as to any period not covered by prior reports as part of its final report.

Cal OEs and its subrecipients, understand and agree that funds may be withheld (including funds under future awards), or other related requirements may be imposed, if the required information is not submitted on a timely basis.

All appropriate documentation must be maintained on file by the project and available for Cal OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Subrecipient may be ineligible for subaward of any future grants if the Cal OES determines that any of the following has occurred: (1) the Subrecipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

CERTIFICATION

I, the official named below, am the same individual authorized to sign the Subaward [Section 14 on Grant Subaward Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant Subrecipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

Authorized Official's Signature: _____

Authorized Official's Typed Name: Jim McDonnell

Authorized Official's Title: Sheriff

Date Executed: _____

Federal Employer ID #: 956000927 Federal DUNS # 028950678

Current Central Contractor Registration Expiration Date: June 25, 2016

Executed in the City/County of: Los Angeles, Los Angeles County

AUTHORIZED BY: (not applicable to State agencies)

- ☐ City Financial Officer
☐ City Manager
☒ Governing Board Chair

- ☐ County Financial Officer
☐ County Manager

Signature: _____

Typed Name: Hilda L. Solis

Title: Chair, Board of Supervisors



APPROVED AS TO FORM: _____

BY: _____

Principal Deputy County Counsel